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Message Text

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ACTION NEA-11

INFO OCT-01 EUR-12 IO-13 ISO-00 NEAE-00 AF-10 L-03
PM-05 SP-02 SS-15 SSO-00 NSCE-00 CIAE-00 INR-10
NSAE-00 INRE-00 ACDA-12 EB-08 DODE-00 /102 W
----------115695 251747Z /45
O 251700Z MAY 78
FM AMEMBASSY RABAT
TO SECSTATE WASHDC IMMEDIATE 5554
INFO AMEMBASSY PARIS IMMEDIATE
USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L RABAT 3113

E. O. 11652: GDS
TAGS: PEPR, PBOR, MASS, MO
SUBJ: MOROCCAN USE OF C-130'S IN ZAIRE

REF: A) RABAT 3043; B) STATE 127839; C) RABAT 3018

1. MOROCCANS ARE QUESTIONING BOTH US INTENTIONS AND OUR LEGAL GROUND IN "OFFERING" USG APPROVAL TO USE C-130'S IN ZAIRE OPERATIONS. SENIOR RMAF OFFICER CLAIMED TO EMBOFFS MAY 23 THAT COMMERICAL CONTRACTS FOR PLANES PURCHASED DO NOT BIND GOM TO SEEK PERMISSION TO USE THEM OUTSIDE OF BORDERS. IN ANY CASE, GOM OFFICIALS PROFESS PUZZLEMENT AS TO WHY QUESTION BEING RAISED NOW, WHEN WE KNEW PERFECTLY WELL C-130'S USED IN GOM'S PREVIOUS SHABA OPERATIONS IN 1977, AND IN FACT FLY ALL OVER THE MAP EVERY DAY OF THE WEEK.

2. IN SEPARATE CONVERSTION, CHIEF OF AIR FORCE ASKED AMBASSADOR ON MAY 24 IF FRANCE HAD TO SEEK PERMISSION OF THE USG TO USE ITS KC-135S OUTSIDE OF FRANCE, ADDING HE WOULD BE SURPRISED IF THIS WERE THE CASE. ACCORDING TO OUR INFORMATION, GOF IS CURRENTLY USING KC-135S IN MAURITANIA. DID FRENCH SEEK PERMISSION FOR SUCH USE?

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3. EXTRACT FROM LOCKHEED COMMERICAL CONTRACT FOR SALE OF INITIAL SIX C-130H AIRCRAFT TO GOM DATED JANUARY 12, 1973 PERTINENT TO QUESTION OF GOM UTILIZATION OF C-130 FLIGHTS TO ZAIRE FOLLOWS:

"ARTICLE 12 - EXPORT AND USE

(B). . . THE PRIOR WRITTEN APPROVAL OF THE UNITED STATES DEPARTMENT OF STATE MUST BE OBTAINED BY

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BUYER BEFORE ANY ARTICLES EXPORTED FROM THE
UNITED STATES OF AMERICA UNDER THIS CONTRACT MAY
BE RESOLD, DIVERTED, TRANSFERRED, TRANSHIPPED,
RESHIPPED, OR REEXPORTED TO, OR USED IN, ANY
COUNTRY OTHER THAN THAT DESCRIBED ON THE EXPORT
LICENSE AS THE COUNTRY OF ULTIMATE DESTINATION;
. . ."

4. IT IS REASONABLY CLEAR MOROCCO DID NOT VIOLATE CONSTRAINTS AGAINST "RESOLD, DIVERTED, TRANSFERRED, TRANSHIPPED, RESHIPPED, OR REEXPORTED TO" IN FLIGHT TO ZAIRE. WOULD APPRECIATE, HOWEVER, LEGAL INTERPRETATION OF RESTRICTION "USED IN". WOULD, FOR INSTANCE, THIS CONSTRAINT PREVENT USE OF C-130S TO DELIVER MOROCCAN TRAINEES TO FRANCE FOR MILITARY COURSES WITHOUT USG PERMISSION (AN EXAMPLE USED BY AFOREMENTIONED SOURCE IN PARA 1)?

5. THERE IS NO RECORD HERE OF OFFICIAL USG FINANCIAL INVOLVEMENT WITH 1973 CONTRACT.

6. WE DO NOT HOLD COPY OF COMMERICAL CONTRACT FOR THE SECOND SIX C-130H AIRCRAFT PURCHASED BY GOM FROM LOCKHEED IN 1976. HOWEVER, WE DO KNOW THAT FMS CREDIT FINANCING FOR FYS 75, 76 AND 77 WAS UTILIZED TO PAY FOR THESE AIRCRAFT. WOULD APPRECIATE DEPARTCONFIDENTIAL

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MENT'S COMMENT WHETHER THIS OFFICIAL USG INVOLVEMENT WOULD TIE 1976 SALE TO RESTRICTIONS OF US-MOROCCAN 1960 AGREEMENT.
ANDERSON

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Message Attributes

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Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, TRANSPORT AIRCRAFT
Control Number: n/a
Copy: SINGLE
Draft Date: 25 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: GS
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Status: NATIVE
Subject: MOROCCAN USE OF C-130\'S IN ZAIRE
TAGS: PEPR, PBOR, MASS, MO, CG, US
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